

2 conducting layers and the conducting layer and the substrate.

1 49. (New) The device in Claim 27 further comprising adhesion layers between the insulating and  
2 conducting layers and the conducting layer and the substrate.

1 50. (New) The device in Claim 28 further comprising adhesion layers between the insulating and  
2 conducting layers and the conducting layer and the substrate.

### REMARKS

In the Office Action dated August 9, 2004, the Examiner allowed Claims 29-31 and rejected Claims 1-28 and 32-44. Claims 1 and 32-44 were rejected as being indefinite under 35 U.S.C. 112, second paragraph. In response, Applicant has amended Claims 1 and 32 to overcome their indefiniteness and has canceled Claim 44. Claims 15 and 27 were rejected under 35 U.S.C. 112, first paragraph, as failing to provide enablement. Applicant has amended these claims so that they are each independent claims, such that they are enabled by the specification. Claim 28 was rejected as being anticipated by Urban et al. Applicant has amended this claim to further clarify the distinctions between it and the prior art. Claims 2 and 16 were rejected as being obvious in light of Urban et al. and Ufer and/or Douglas et al. Applicant has amended both independent claims to further clarify the distinctions between them and the prior art. The remaining rejected claims all depend from base claims that have been amended. For the reasons stated below, Applicant believes the application is now in condition for allowance.

Claims 15 and 27 were rejected for including both the limitations of having a flexible substrate and a silicon substrate. The Examiner correctly pointed out the silicon substrate would not be flexible. Applicant apologizes for this oversight. Claims 15 and 27 have been rewritten as independent claims, specifically having silicon substrates. Independent Claims 1 and 32 had similar

small errors that have been amended. Applicant thanks the Examiner for identifying and pointing out these errors. Applicant has amended Claims 1 and 32 to correct these mistakes and canceled Claims 44 and 45. Applicant believes Claims 1 and 32, as well as Claims 33-43 that depend from Claim 32, should now be in condition for allowance.

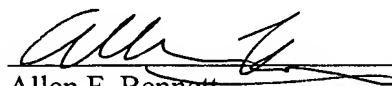
Claims 2 and 16, as well as now independent Claims 15 and 17, as amended include the additional limitations of the conducting layers being planar, parallel structures that include a macroscopic contact pad as shown in the drawings. See Figures 9, 11, 13 and 14. Urban et al. only contemplates using vias within breaches to connect electrodes that are substantially larger than the vias through an instrument source. Applicant's electrodes are formed by the creation of cavities that are substantially smaller than the conducting layers.

Applicant has added Claims 46-50 that include the limitation of utilizing adhesion layers to better hold the structure together. Applicant believes this limitation further distinguishes Applicant's invention from the prior art.

For all the above reasons, Applicant now believes that the application should be in condition for allowance and such action is earnestly solicited. If, for some reason, any other issues remain, a telephone conference with the Examiner is respectfully requested.

Enclosed is a check in the amount of \$585 to cover the additional claims and the three-month extension of time. The Commissioner is authorized to charge any additional fees associated with this application or credit any overpayment to Deposit Account No. 08-1500.

Respectfully submitted,



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Date: February 9, 2005